

REMARKS

Applicants amend claims 1, 4, and 9, and cancel claims 3, 7, 14-16 without prejudice. The subject matter of claims 3 and 7 are incorporated into claim 1, and the subject matter of claims 14-16 is incorporated into claim 9. New claims 21-23 are added. Support for the amendments and the new claims can be found on pages 4-9 and 55-63 and throughout the remainder of the specification. Thus, no new matter is added.

Rejections Under 35 U.S.C. 102

The Office Action rejects claims 1-20 as being anticipated by U.S. Patent No. 6,321,334 of Jerger.

Claim 1, as amended, recites a computer system that includes a default event policy that defines responses to detected events, *which are indicative of selected faults*. The system further includes a configurable event policy for modifying the default event policy to define responses to one or more of such detected events that are different than the default responses. An event management system utilizes the default event policy and the configurable event policy to determine a required response to a particular event.

Jerger is not directed to providing policies for dealing with faults e.g., failures or resource consumption notifications, in a computer system, much less to configurable policies that can be employed to modify default responses to such faults. Rather, Jerger describes methods for providing security during a browsing session between a client computer and a server. More specifically, Jerger describes responding to a request from a software component, which can be embedded in a document downloaded from the server, to perform a protected operation, e.g., accessing files on the client computer. Jerger's method involves accessing a pre-defined security setting to determine whether the embedded instructions should be allowed to perform the requested operation. In this manner, requested operations are selectively performed based on pre-defined security settings. Different security zones, and their associated permissions, can be established such that a particular server is assigned to a zone, and hence becomes subject to its security policy, based on an assumed level of risk attached to that server.

A pre-defined security policy is, however, distinct from a configurable default policy for dealing with *faults* occurring in a computer system. Jerger does not discuss a default policy for responding to detected failures, or notifications regarding consumption of a resource (e.g., memory), and more specifically it does not teach a *configurable* default policy that can be used to modify the default policy. Such a configurable default policy provides a number of advantages. For example, Applicants note in the specification that a “configurable default policy allows the default fault policy to be modified to address behavior that was learned after the implementation was released.” In addition, “a configurable fault policy allows users to perform manual overrides to suit their specific requirements and to tailor their policies on the individual failures scenarios that they are experiencing.” *See, e.g., specification, page 61.*

Hence, claim 1 includes salient features not taught by Jerger, and therefore distinguishes patentably over Jerger. Moreover, claims 2 and 4-8 depend on claim 1, and not only incorporate the patentable attributes of claim 1 but also include additional features. For example, claim 4 depends on claim 1 and further recites that the event management system comprises a hierarchical event management system. Although Jerger describes that its security settings can be configured at different levels of granularity, it does not teach a hierarchical event management system, as this term is employed herein. More specifically, a hierarchical event management system includes different hierarchically-related event managers for responding to an event, wherein each event manager can either respond to an event or escalate the event to a higher level based on a pre-defined policy – features not taught by Jerger. *See, e.g., pages 55-61 of the specification.*

The arguments presented above apply with equal force to establish that independent claim 9, as amended, is also patentable over Jerger. For example, claim 9 recites providing a default event policy and a configurable event policy, and utilizing the configurable event policy to modify the default event policy – features not taught by Jerger as discussed in detail above.

Claims 10-20 depend on claim 9, and hence are also patentable.

New Claims

Support for new claims 21-23 can be found, for example, on pages 4-9 and 55-63 of the specification. Specifically, support for new independent claim 24 can be found on page 62 of the specification. Thus, no new matter is added.

Claim 21 depends on claim 8 and claim 22 depends on claim 2. Claim 22 further recites that the configuration database notifies one or more event managers of the modifications made to the default event policy -- another feature not taught by Jerger. Further, independent claim 23 recites a fault management system for use in a network device that includes a configurable event policy that allows augmenting a default event policy with definitions for events not identified in the default policy. None of these features is taught by Jerger.

Accordingly, new claims 21-23 are also patentable over Jerger.

CONCLUSION

In view of the above amendments and remarks, Applicants respectfully request reconsideration and allowance of the application. If there are any remaining issues, Applicants invite the Examiner to call the undersigned at (617) 439-2514.

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